

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF OKLAHOMA**

REBECCA LEE,

Plaintiff,

v.

HEALTH CARE SERVICE
CORPORATION, a Mutual Legal
Reserve Company, d/b/a BLUE CROSS
BLUE SHIELD OF OKLAHOMA,

Defendant.

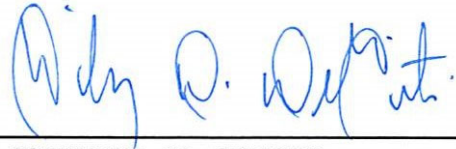
Case No. CIV-24-1145-D

ORDER

Before the Court is Defendant's Motion to Dismiss [Doc. No. 13]. In response, Plaintiff timely filed an Amended Complaint [Doc. No. 15], as authorized by FED. R. Civ. P. 15(a)(1)(B). Upon consideration, the Court finds that Defendant's motion to dismiss, directed at Plaintiff's original pleading, is moot. *See Davis v. TXO Prod. Corp.*, 929 F.2d 1515, 1517 (10th Cir. 1991) (amended complaint supersedes the original); *see also Predator Int'l, Inc. v. Gamo Outdoor USA, Inc.*, 793 F.3d 1177, 1180-81 (10th Cir. 2015).

IT IS THEREFORE ORDERED that Defendant's Motion to Dismiss [Doc. No. 13] is **DENIED** as **MOOT**. Defendant may resubmit a motion to dismiss, if appropriate, in response to the Amended Complaint [Doc. No. 15]. In light of this Order, Plaintiff's Unopposed Motion for Extension of Deadline for Response to Defendant's Motion to Dismiss [Doc. No. 14] is **DENIED** as **MOOT**.

IT IS SO ORDERED this 10th day of January, 2025.



TIMOTHY D. DeGIUSTI
Chief United States District Judge